REMARKS

In the above-referenced Official Action, the Examiner rejected claims 1-7, 18-19 and 22-23 under 35 U.S.C. § 103(a) as unpatentable over SUNDARESAN et al. (U.S. Patent No. 6,463,079) in view of RAWSON et al. (U.S. Patent No. 6,028,867). The Examiner rejected claims 8-17, 20-21 and 24-38 under 35 U.S.C. § 103(a) as unpatentable over SUNDARESAN et al. in view of RAWSON et al. in further view of BYERS (U.S. Patent No. 5,926,472). Applicants respectfully traverse these rejections, at least for the reasons stated below.

As in previous office actions, the Examiner admitted that SUNDARESAN et al. do not teach determining an interface corresponding to each of the plurality of assigned facilities, each interface converting at least a portion of provisioning data into a specific protocol corresponding to the assigned facility. The Examiner therefore relied on RAWSON et al., in combination with SUNDARESAN et al., to teach these claim elements. However, the RAWSON et al. patent discloses *routing* DSL calls according to DSL services that have already been provisioned, and does not disclose implementing a DSL service based on provisioning data of a service order. The RAWSON et al. patent is therefore irrelevant.

As previously pointed out by Applicants, the claimed embodiment of the present invention is directed to *provisioning* a DSL service for a subscriber, *not routing* DSL calls from the subscriber's terminal. The claims recite assigning facilities to implement a DSL service order (received at a server), determining an interface corresponding to each of the assigned facilities, and converting at least a portion of provisioning data into a protocol corresponding to each assigned facility. For example, the assigned facilities may include a remote terminal (typically situated between a central

office and the subscriber's terminal device) and an optical concentrator device (OCD) (typically located in the central office). *See, e.g.,* Specification, p.3, para. [0005]. (The general idea is to place the remote terminal close enough to the subscriber's terminal device, *e.g.,* within 1,800 feet, to prevent excessive attenuation over conventional copper lines, even when the servicing central office is otherwise located too far from the subscriber's terminal device to enable the DSL service.)

In the claimed embodiment, facilities (e.g., a remote terminal and an OCD) must be assigned and provisioned, pursuant to provisioning data from a service order, for the subscriber to begin using the DSL service. The provisioning may include, for example, specifying a subscriber port in the remote terminal and building a corresponding logical cross-connection in the connected OCD. *See, e.g.,* Specification, p.4, para. [0006]. The provisioning server of the claimed embodiment communicates the provisioning data to the assigned facilities through interfaces corresponding to these facilities. Each interface converts at least a portion of the provisioning data into a protocol corresponding to the assigned facility.

In contrast, RAWSON et al. disclose a system for enabling DSL connections from user locations 110-A – 110-E, through a telecommunications network 170, to destinations 160-A and 160-B. *See* Fig. 1; col. 6, lines 541-60. The destinations may require data sent from the user locations to be converted into different protocols. For example, destination 160-A may be a company that requires ATM data and destination 160-B may be an internet service provider (ISP) that requires frame relay data. *See, e.g.,* col. 7, lines 3-11; col. 11, lines 17-22. In this environment, the "interfaces" disclosed by RAWSON et al. (as asserted by the Examiner) are DSL multiplexers 130-A and 130-B, located in the central office 120, and the "assigned facilities" are actually the

destinations 160-A and 160-B. Also, "converting at least a portion of the *provisioning data* into a specific protocol corresponding to the assigned facility" is actually converting DSL communication data to ATM, frame relay, or some other format compatible with the call destination, as opposed to converting provisioning data from a service order to protocols corresponding to, e.g., a remote terminal or an OCD, used to implement the DSL service.

Accordingly, RAWSON et al. do not teach or suggest determining an interface corresponding to each facility assigned to provision a DSL service and using the interface to convert provisioning data into a specific protocol corresponding to each assigned facility. Further, there is no motivation to combine the order processing of SUNDARESAN et al. with the call routing of RAWSON et al. Therefore, Application respectfully respect withdrawal of the Examiner's rejections of independent claims 1, 18 and 31 based on any combination including the RAWSON et al. reference.

With respect to independent claims 8, 24 and 38, the Examiner additionally relied on BYERS, in combination with SUNDARESAN et al. and RAWSON et al. BYERS was cited only for configuring of an optical concentrator device. Therefore, even assuming proper motivation for combining these references, BYERS does not overcome the deficiencies of SUNDARESAN et al. and RAWSON et al., discussed above. Accordingly, withdrawal of the rejections based on the combination of these references is respectfully requested.

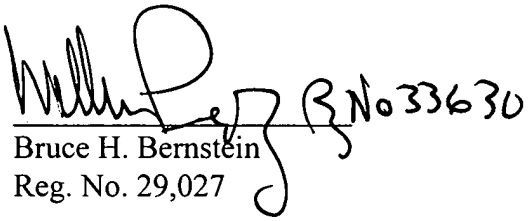
With regard to claims 2-7, 9-17, 19-23, 25-30 and 32-37, Applicants assert that they are allowable at least because they depend from independent claims 1, 8, 18, 24 and 31, respectively, which the Applicants submit have been shown to be allowable.

In view of the herein contained amendments and remarks, Applicants respectfully request

reconsideration and withdrawal of all previously asserted rejections set forth in the Official Action of July 20, 2004, together with an indication of the allowability of all pending claims, in due course. Such action is respectfully requested and is believed to be appropriate and proper.

Should the Examiner have any questions concerning this Reply or the present application, the Examiner is respectfully requested to contact the undersigned at the telephone number listed below.

Respectfully submitted,
Timothy Russell KLOS et al.



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September 20, 2004
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